

**DUNDEE CITY COUNCIL
ASSET TRANSFER UNDER THE COMMUNITY EMPOWERMENT ACT
REFUSED**

To: Faisal Hussein

Yusuf Youth Initiative, ADDRESS REDACTED

27th January, 2022

**Community Empowerment (Scotland) Act 2015 (the “Act”)
Community Asset Transfer Request – Mitchell Street Centre**

This Decision Notice relates to the asset transfer request made by the Yusuf Youth Initiative, validated on 4th August, 2021, in relation to the Mitchell Street Centre, Mitchell Street, Dundee.

The application was considered by the Community Asset Transfer Sub-Committee of Dundee City Council on 19th January, 2022.

Having given consideration to the asset transfer request submitted by the Yusuf Youth Initiative, and a Report submitted by the Community Asset Transfer Group, recommending refusal, and having then heard from representatives of the Yusuf Youth Initiative and the Community Asset Transfer Group, the Sub-Committee accepted the recommendations of the Community Asset Transfer Group and refused the request on the grounds that Yusuf Youth Initiative had not demonstrated the viability, sustainability and sufficiency of resources of their proposals.

The detailed reasons for this decision are as follows:

- Lack of evidence of the robustness of the Business Plan submitted by Yusuf Youth Initiative in relation to the proposed transfer
- Lack of evidence of current and long-term funding having been secured by Yusuf Youth Initiative to support the proposed transfer
- Lack of evidence of sufficient funding having been identified by Yusuf Youth Initiative for the renovation and ongoing maintenance required by a building of this age, type, condition and size
- Lack of evidence of Best Value, having regard to the value of the building and the anticipated social return on investment from the proposed transfer
- Mitigating actions proposed verbally by representatives of Yusuf Youth Initiative during the meeting (that a Property Survey should now be carried out by Yusuf Youth Initiative and if this disclosed works which Yusuf Youth Initiative could not fund the transfer should not proceed; that, if after the proposed transfer Yusuf Youth Initiative found they were unable to fund the operating and maintenance costs of the building, the building would be returned to Dundee City Council or transferred to a charity with similar aims to Yusuf Youth Initiative; that if the anticipated social return on investment was not achieved Yusuf Youth Initiative would agree with Dundee City Council on a mechanism for valuing the shortfall and pay that sum in cash to Dundee City Council) were not in accordance with the statutory scheme for community asset transfer and, in any event, not sufficient to address the above concerns.

This Decision Notice will be published online and also notified to all parties who have made representations in terms of Regulation 11 of the Asset Transfer Request (Procedure) (Scotland) Regulations 2016.

Right to Review

If you are dissatisfied with the decision contained in this Decision Notice, you may apply to the Council to review this decision in which event the Council are obliged to carry out a review of the case.

Any application for review must be made in writing to the Community Partnership Manager at e-mail: asset.transfer@dundee.gov.uk by 24th February, 2022 which is 20 working days from the date of this notice. Guidance on making application for review is available at [:https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509](https://www.gov.scot/publications/asset-transfer-under-community-empowerment-scotland-act-2015-guidance-community-9781786527509)

Yours sincerely,



Roger Mennie,
Head of Democratic and Legal Services